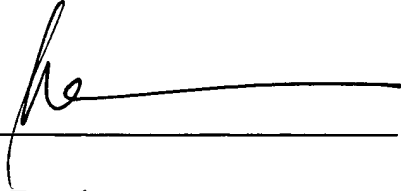




CERTIFICATE OF MAILING UNDER 37 CFR § 1.8

I hereby certify that the annexed **REPLY** to the **NOTICE OF NON-COMPLIANT AMENDMENT** is being deposited on October 14, 2004 with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signed on (Date) 10-14-04 by (Signature) 

Name of Person Signing Certificate: S. Michael Bender



3636
JTW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Cherisse Morgan et al
Serial No.:	09/916,549
Filing date:	07/27/2001
Title:	ERGONOMIC CUSHION AND RECLINER CHAIR APPARATUS
Examiner:	Joseph F. Edell
Art Unit:	3636
Docket No.:	3052M

REPLY TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner For Patents
P.O. Box 1450
Alexandria, VA 22313-1450

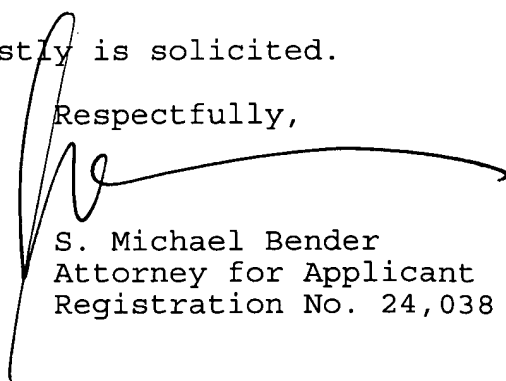
Sir:

In the **NOTICE OF NON-COMPLIANT AMENDMENT** mailed September 15, 2004, it was stated that "claim language is required for every claim even *claims that are currently withdrawn*." See copy of **Notice** attached.

In reply to the **Notice**, applicant is enclosing herewith re-printed pages 4-8 of the June 16th Amendment (IV. IN THE CLAIMS) wherein the claim language of even the withdrawn claims is presented. In view of this transmittal, the June 16th Amendment now is in compliance with the Rules and therefor the **Notice** should now be withdrawn.

Such favorable action earnestly is solicited.

Respectfully,


S. Michael Bender
Attorney for Applicant
Registration No. 24,038

SMB/
Encl.